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CC Docket No. 98-141

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AUG 27 1998

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Applications for Consent to the Transfer of Control of Licenses and Section 214 Authorizations from Ameritech Corporation, Transferor, to SBC Communications Inc., Transferee ORIGINAL

## APPLICANTS' RESPONSE TO MOTION FOR EXTENSION OF TIME

Applicants SBC Communications Inc. ("SBC") and Ameritech Corporation ("Ameritech") hereby respond to the Motion for Extension of Time filed by eight "Consumer Groups." That motion seeks to extend the current deadline for filing comments with respect to the merger by 62 days.

This request – which would more than double the time period for submitting comments – is wholly unwarranted. The Public Notice announcing the filing of the applications to transfer control of Ameritech's FCC authorizations to SBC was released on July 30, 1998 and established a deadline of September 15, 1998 – 47 days later – to file comments or petitions. This is more than ample time for the moving parties to prepare any comments they may have.

No. of Copies rec'd O+12 List A B C D E Indeed, the Commission has already provided more time for comments in this proceeding than it has in similar cases. For example, in other recent large merger proceedings the Commission established the following deadlines for filing petitions or comments: BellAtlantic/NYNEX: 40 days; AT&T /Teleport: 35 days, MCI/WorldCom: 41 days¹; SBC/SNET: 32 days; SBC/Telesis: 35 days; AT&T/McCaw: 40 days. Since the schedule here is 1-2 weeks longer than in those cases, the moving parties have no grounds for complaint, much less for seeking an extension which is substantially longer than the original comment period.

In any event, the delay these parties seek is not in the public interest. The telecommunications industry is perhaps the most rapidly changing industry today, and both the applicants (who need to react quickly to those changes) and the public (which stands to benefit from the increased competition the merger will bring) are ill served by delay. The suggestion in the motion that the extension will not prejudice the applicants is simply wrong since a two month delay in gathering all the comments and replies will almost surely result in an equivalent delay in obtaining a decision. Since an early resolution of this proceeding is in the interest of all parties, and since the time frame

<sup>&</sup>lt;sup>1</sup> In MCI/WorldCom, the applicants filed over 200 pages of new information with their reply comments, leading the Commission to establish a second pleading schedule "to ensure that interested parties have a meaningful opportunity to comment on this significant amount of information presented for this first time in [the applicants' reply]." The new pleading cycle for commenting on this large body of information, however, provided only 14 days for comments. See Order, In re Application of WorldCom, Inc and MCI Communications Corp. for Transfer of Control of MCI Communications Corp. to WorldCom, Inc., 13 FCC Rcd 4527 (Feb. 27, 1998)

established by the Commission for comments is even longer than in similar proceedings, there is no basis for extending the current dates.

## **CONCLUSION**

For the foregoing reasons, SBC and Ameritech respectfully urge the Commission to deny the motion for extension of time.

Respectfully submitted,

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Dated: August 27, 1998

## Certificate of Service

I, Philip W. Horton, hereby certify that the foregoing Applicants' Response to Motion For Extension of Time was served by first class mail, postage prepaid, on the following parties (except for Federal Communications Commission staff, who were served by hand) this 27th day of August, 1998.

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